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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 24/01/2025

PRESENT

The HONOURABLE MR. JUSTICE N.ANAND VENKATESH

CRL OP(MD). No.1377 of 2025

A. Raja

... Petitioner/ Accused No.5

Vs

The State of Tamilnadu,
Rep. by the Sub-Inspector of Police,
District Crime Branch,
Virudhunagar,
Crime No.19/2015.

... Respondent/Complainant

For Petitioner : Mr.L. Prabhu, Advocate

For Respondent : Mr.B.Thanga Aravindh,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.19/2015. on the file of the Respondent Police



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ORDER : The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence under Sections 120(b), 419, 420, 465, 467, 468 and 471 of IPC in Crime No.19 of 2015 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant is the owner of nearly 28 acres of land in twelve survey numbers. The allegation is that A3 who has no right over the property, executed a power of attorney in favour of A4 with respect to two survey numbers measuring an extent of 4 acres. Based on the power of attorney document, A4 is said to have executed a sale deed in favour of A5. There are totally 13 accused persons in this case and the petitioner has been arrayed as A5 and he is the subsequent purchaser of the property.

3. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (CrI.Side) appearing for the respondent police.

4. Taking into consideration the facts and circumstances of the case and considering the fact that the petitioner is the subsequent purchaser of the property



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and the case is borne out by records, this Court is inclined to grant anticipatory bail to the petitioner. Accordingly, this criminal original petition is ordered and the petitioner is ordered to be released on anticipatory bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.I, Sathur, Viruthunagar District, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties, each for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the said Magistrate, on further condition that:

[a] if the petitioner fail to surrender before the said Magistrate within a period of fifteen days, this order shall stand automatically cancelled.

[b] the petitioner and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[c] the petitioner shall report before the respondent police daily as and when required for interrogation.

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial;

[e] the petitioner shall not abscond either during investigation or trial;



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[f] on breach of any of the aforesaid conditions, the learned Magistrate/ Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]; and;

[g] if the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS 2023.

Sd/-
24/01/2025

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/02/2025
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

LR

TO

1 THE JUDICIAL MAGISTRATE, NO.I,
SATHUR, VIRUDHUNAGAR.

2 DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
VIRUTHUNAGAR DISTRICT AT SRIVILLIPUTHUR.



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3 THE SUB-INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
VIRUDHUNAGAR,

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.L.PRABHU, Advocate (SR-814[I] dated 24/01/2025)

ORDER
IN
CRL OP(MD) No.1377 of 2025
Date :24/01/2025

ES/SKN/SAR/18.02.2025/5P/6C

Madurai Bench of Madras High Court is issuing certified copies in this format from
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